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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,642	11/24/2003	Ying Tat Leung	YOR920030362US1	1196
63203 7590 03/04/2010 ROGITZ & ASSOCIATES 750 B STREET SUITE 3120 SAN DIEGO, CA 92101				
EXAMINER				
DAM, KIM LYNN				
ART UNIT		PAPER NUMBER		
2179				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/718,642

Applicant(s)

LEUNG ET AL.

Examiner

KIM-LYNN DAM

Art Unit

2179

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,8-10,12-14 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8-10,12-14 and 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ ~~Notice of Informal Patent Application~~
- 6) ☐ Other: _____

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/9/10 has been entered.

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 1 (second occurrence), 2 and 3 were renumbered as 2, 3 and 4. Appropriate correction is required. This is believed to be a typo, therefore Examiner has rejected the claims in the same number order as from the previous rejection with claim 3 being cancelled, not claim 2.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Bogward (US 20040049743).

Regarding claim 1, Bogward disclosed a portable computing device comprising:

a display (Paragraphs [0012], [0190]; Figures 1,2 and 18); and

a touch-sensitive display which is secondary and attachable to the display
(Paragraphs [0012], [0190]; Figures 1,2 and 18),

wherein said display and said touch-sensitive display present two adjoining display portions of a single display output at a first time (Paragraph [0256]; and Figure 52D, where information (reading material) is displayed on both leaves) and only the display but not the touch-sensitive display present the two adjoining display portions of the single display output at a second time (Paragraphs [0190], [0159]; Figure 1B and Figure 18, where data is displayed on one display screen and the main operator control is displayed on the other screen, and where information can be reading material, documents etc (Paragraph [0414])).

Regarding claim 2, Bogward disclosed the portable computing device of claim 1, wherein the touch-sensitive display is rotatably attachable to the display (Paragraphs [0156], [0190]; Figures 1, 18 and 19).

Regarding claim 4, Bogward disclosed the portable computing device of claim 1, wherein said touch-sensitive display displays a user-interface that overlays a portion of said single display output (Paragraph [0012]; Figures 1, 2 and 32).

Regarding claim 5, Bogward disclosed the portable computing device of claim 4, wherein the user-interface comprises a pointing device (Paragraphs [0012] and [0158]).

Regarding claim 6, Bogward disclosed the portable computing device of claim 4, wherein the user-interface is reconfigurable in accordance with an instruction from a software application being executed on the portable computing device (Paragraphs [0062], [0170], [0205] and [0253-0262]; Figures 48, 52b-d, and 53; where interface is reconfigurable depending on settings, configurations, right/hand left hand modes, applications of use).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-10, 12-14, 16-19 are rejected under 35 U.S.C. 103(a) as being obvious over Bogward (US 20040049743) in view of Wilson (USPN 6,985,929).

Regarding claim 8, Bogward disclosed a method of driving a portable computing device having a display attachable to a touch-sensitive display that is secondary and attachable to the display, the method comprising:

displaying a first of two adjoining display portions of a single display output in one of said display and said touch-sensitive display (Paragraphs [0012], [0190]; Figures 1, 2 and 18);

displaying a second of said two adjoining display portions of said single display output in the other of said display and said touch-sensitive display (Paragraphs [0012], [0190]; Figures 1, 2 and 18);

wherein said display and said touch sensitive display display said two adjoining display portions as a single display output (Paragraphs [0012], [0256]; Figures 1, 2, 52d).

Bogward did not specifically disclose wherein the single display output is selected from the group of outputs consisting of: a map, a computer drawing, a spreadsheet. However Bogward teaches the single display output being documents and internet browsers etc (Paragraph [0414]). In an analogous art, Wilson discloses displaying a map on a web browser (Column 13, lines 5-38; Figures 7-10. It would have been obvious to one skilled in the art at the time the invention was made to incorporate the teachings of Wilson into the system of Bogward, since doing so would allow maps to be

displayed on the device. One skilled in the art would also know that since Bogward expressly teaches the output display being information such as reading information, documents, internet etc (Paragraph [0414]), it is obvious that other types of information such as maps, computer drawings and spreadsheets can be displayed in the same manner. One would be motivated to do so in order to allow various types of information to be displayed on the display(s) of Bogward.

Regarding claim 9, the rejection of claim 8 is incorporated and further Bogward disclosed wherein the display is rotatably attachable to the touch-sensitive display (Paragraphs [0156, [0190]; Figures 1, 18 and 19).

Regarding claim 10, the rejection of claim 8 is incorporated and further Bogward disclosed wherein said touch-sensitive display further comprises displaying a user-interface comprising a keyboard (Paragraphs [0012] and [0047]; Figures 1 and 34).

Regarding claim 12, the rejection of claim 10 is incorporated and further Bogward disclosed comprising reconfiguring the user-interface in response to an application state (Paragraphs [0062], [0170], [0205] and [0253-0262]; Figures 48, 52b-d, and 53; where interface is reconfigurable depending on settings, configurations, right/hand left hand modes, state of use).

Regarding claim 13, the rejection of claim 12 is incorporated and further Bogward

disclosed, wherein reconfiguring the user- interface comprises reconfiguring the user- interface in response to a user preference (Paragraphs [0062], [0170], [0205] and [0253-0262]; Figures 48, 52b-d, and 53; where interface is reconfigurable depending on settings, configurations, user preference of right/hand left hand modes, state of use).

Regarding claim 14, the rejection of claim 12 is incorporated and further Bogward disclosed, wherein reconfiguring the user- interface comprises reconfiguring the user- interface in response to a user instruction (Paragraphs [0062], [0170], [0205] and [0253-0262]; Figures 48, 52b-d, and 53; where interface is reconfigurable depending on settings, configurations, user preference of right/hand left hand modes, state of use).

Regarding claim 16, the rejection of claim 8 is incorporated and further Bogward disclosed comprising displaying a hot key that triggers the execution of a plurality of instructions in accordance with a state of the portable computing device (Paragraphs [0159-0163], [0178]; Figures 1-3 and 12; where keys trigger applications).

Regarding claim 17, the rejection of claim 8 is incorporated and further Bogward disclosed comprising displaying an application result (Paragraphs [0159-0163], [0178]; Figures 1-3 and 12; where keys trigger applications).

Regarding claim 18, the rejection of claim 17 is incorporated and further Bogward disclosed wherein displaying an application result comprises displaying a first page of

an electronic book on one of the display and the touch-sensitive display (Paragraphs [0107], [0256], [0235]; Figures 41c, 52d, and 85).

Regarding claim 19, the rejection of claim 18 is incorporated and further Bogward disclosed wherein the displaying of the application result further comprises displaying a second page of an electronic book on the other one of the display and the touch-sensitive display (Paragraphs [0107], [0256], [0235]; Figures 41c, 52d, and 85).

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being obvious over Bogward (US 20040049743) in view of Wilson (USPN 6,985,929), further in view of Zak et al (US 20020004729).

Regarding claim 20, the rejection of claim 8 is incorporated and Bogward further disclosed comprising menus on the touch-sensitive display (Paragraph [0019]; Figures 8A-E). Bogward did not specifically disclosed that those menus were drop-down menus. However, in an analogous art, Zak disclosed using drop-down menus on touch-sensitive display screens (Paragraphs [0057], [0078]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Zak into the system of Bogward and Wilson since doing so would provide for easy display and selection of menu options.

7. Claims 21 is rejected under 35 U.S.C. 103(a) as being obvious over Bogward (US 20040049743) in view of Wilson (USPN 6,985,929), further in view of Retter (USPN 5,825,362).

Regarding claim 21, the rejection of claim 10 is incorporated and further neither Bogward nor Wilson specifically disclose wherein displaying the user-interface comprises displaying a color-coded keyboard. However, Retter discloses a user-interface with a color-coded keyboard (Column 8, lines 34-53; Figure 7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Retter into the system of Bogward and Wilson since using a color-coded keyboard would allow users to more easily discern keys and makes a keyboard more user-friendly.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIM-LYNN DAM whose telephone number is (571)270-1408. The examiner can normally be reached on M-TH 8:00-5:30, every other Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kim-Lynn Dam

/Weilun Lo/
Supervisory Patent Examiner, Art Unit 2179